

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>STEPHEN PARKER</b>	)	
	)	
	)	
<b>v.</b>	)	
	)	<b>**Civil No. 06-129-P-S</b>
<b>CITY OF SOUTH PORTLAND, et al,</b>	)	
	)	
<b>Defendants</b>	)	
	)	
	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on May 18, 2007, his Recommended Decision (Docket No. 26). Defendant Kevin Gerrish filed his Objection to the Recommended Decision (Docket No. 27) on June 7, 2007. Plaintiff filed his opposition to Defendant Gerrish's Objection (Docket No. 28) on June 25, 2007.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. The Motion for Summary Judgment as to all claims brought against Todd Bernard, Jeffrey

Caldwell, the South Portland Police Department, the City of South Portland, and Edward Googins, in his individual and official capacities, is hereby **GRANTED** for the reasons set forth in the Recommended Decision, it is otherwise **DENIED** because I find that genuine issues of material fact preclude summary judgment.

/s/ George Z. Singal

Chief United States District Judge

Dated: July 18, 2007